Annals. Series on Economy, Law and Sociology, Volume 8, Number 1/2025
Romania, June, 2025 ISSN ONLINE 2067-5704
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LEGAL REGULATION OF RELIGIOUS DENOMINATIONS IN ROMANIA: A COMPARATIVE STUDY BETWEEN THE LAWS OF 1928, 1948 AND 2006

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ABSTRACT: The three laws that have provided the legal framework for the functioning of religious denominations in Romania from adopting of the first Constitution in 1866 to the present day were: Law 54/2028, Decree 177/1948 and Law 489/2006. They reflect how the legal protection of religious freedom was ensured under the different political regimes that ruled Romania: during the monarchy, Law 54/2028, during the communist period, Decree 177/1948, and during the post-communist (democratic) period, Law 489/2006. Each of these laws bears the government's stamp under which they were adopted. A comparative analysis of the legal provisions in these normative acts allows an understanding of the evolution of the right to religious freedom over almost one hundred years of history.
KEYWORDS: religious freedom, religious denominations, Law 54/2028, Decree 177/1948, Law 489/2006

DOI 10.56082/annalsarscieco.2025.1.24

1. INTRODUCTION

The regulation of religious freedom and the relationship between the state and religious denominations reflects the dynamics of Romania's political, social, and ideological transformations in the 20th and early 21st centuries. Starting with the 1928 Law on Religious Denominations, through the 1948 Decree, and then up to Law no. 489/2006, the legal regime has been profoundly influenced by successive political regimes, namely: inter-war democracy, totalitarian communist regime and, later, post-communist democratic state, oriented towards European integration.

Law no. 54/1928, also known as the Law on the General Regime of Religious Denominations, was adopted by the Romanian Parliament and promulgated by Royal Decree no. 1093/1928. This was published in Official Gazette No. 89 of April 22, 1928. It was the monarchy's only law regulating religious cults in Romania and was valid until the 1948 Decree.

Decree no. 177 of August 4, 1948 for the general regime of religious cults is a normative act issued by the Ministry of Religious Cults and published in the Official Gazette No. 178 of August 4, 1948. It was republished in Official Gazette No. 204 of September 3, 1948. It regulated religious denominations throughout the communist period, but also in the 16 years after the 1989 Revolution, when Romania was a democratic state. It was repealed with the entry into force of Law 489/2006.

In legal terminology, the closest meaning for the term "culte" in Romanian as a state-recognized religious entity in English is "religious denominations". This term is the standard used in international legislation, in UN, EU, or European Court of Human Rights (ECHR) acts. In legal terminology, the closest meaning for the term

2. THE SOCIO-POLITICAL AND RELIGIOUS CONTEXT OF THE ENACTMENT OF THE 1928, 1948, AND 2006 DENOMINATIONS LAWS

The adoption of the three laws related to the regulation of religious denominations in Romania cannot be understood without reference to their socio-political and religious context at the time of their adoption. The historical, ideological, and institutional factors that characterized Romanian society at the key moments of the adoption of these normative acts substantially influenced both their form and content.

For this reason, any attempt to critically assess or interpret these laws must start from the contextual premises that generated them. An understanding of the dynamics of state-cult relations, the dominant political interests, and the specific confessional climate of the respective periods is essential to corroborate not only the intentions of the legislator but also the implications of these regulations for religious freedom, the autonomy of denominations and the relationship between religion and the public sphere.

2.1 The 1928 Law on Religious Denominations between confessional unification and Orthodox hegemony

The adoption of the 1928 Law on Religious Denominations in Greater Romania was an act of religious regulation that took place in a tense context, marked by the need for legal unification of religious denominations in a newly expanded nation-state. The Great Union of 1918 brought together provinces with distinct confessional traditions and diverse legal regimes. In this new configuration, the Law on Religious Religions became an essential element in the construction of Romania's national and religious identity.

As the historian Bogdan Emanuel Răduț remarked, "the Law on Religious Denominations [...] merely created a uniform legislative framework, without, however, resolving all the problems and shortcomings of the time" (Răduț, 2018). The 1923 Constitution theoretically guaranteed religious freedom, stating that "freedom of conscience is absolute", but at the same time stipulated that the Romanian Orthodox Church is "the dominant church in the Romanian State" and that the Greek-Catholic Church has "primacy over the other religions" (Răduț, 2018).

The Law on Religious Denominations, promulgated on 22 April 1928, provided in Article 21 for the recognition of nine "historical religious denominations" and in Article 24 for the existence of religious associations, allowing only those that did not contravene "good morals, state security, and public order" (Legea 54/1928) to operate legally. However, religious freedom was limited by strict state control exercised through the Ministry of Religious Affairs, and unauthorized religious groups were banned and often persecuted.

The Greek Catholic Church perceived the law as a threat. The newspaper Unirea of March 10, 1928, described the bill as "an instrument of torture" designed "to tear living pieces from the body of our church" (Unirea, 1928). The Greek Catholic hierarchs accused the authorities of trying "to break us away from Rome", although they claimed that "they will not succeed" and reaffirmed their fidelity to their nation and faith (Unirea, 1928).

At the same time, speeches in the Senate clearly showed the support of the Orthodox Church for the new law. Bishop Roman, from Oradea, declared: "We cannot admit that we submit the sovereignty of our state to the sovereignty of a foreign state" (Biserica și Școala, 1928), referring to the Vatican. It was a position that reiterated the state's view of the national church as a symbol of unity and independence.

Although the declared aim of the law was the coherent organization of denominations in the new state, its application led to confessional imbalances. The Romanian Orthodox Church, being in the majority, benefited from preferential treatment, while religious groups considered "sects" (such as Pentecostals, Baptists, and Jehovah's Witnesses) were subject to prohibitions, surveillance, and repression.

On the 160th anniversary of the establishment of the State Secretariat for Religious Denominations, Mr. Victor Opaschi, who headed this institution, said, "The first law of the general regime of religious cults of 1928 was not centered on religious freedom as a fundamental right of citizens but on the freedom of religious cults and their placement under the protection of the state. The Ministry of Denominations reserved the right of supervision and control over religious cults, and the heads of cults were recognized in office only after the approval of the King, on the recommendation of the Ministry of Denominations" (Jucan , 2022).

In short, the 1928 Law on Cults was an effort to regulate confessional pluralism in a newly expanded state, but it turned into an instrument of control and consolidation of the Orthodox Church as the dominant church. Despite constitutional promises of religious freedom, the inter-war reality was marked by confessional inequality and tensions between the majority church and minority denominations.

2.2 Decree 177/1948 - totalitarian control of religious life

With the establishment of the communist regime, relations between the state and religion were completely changed. The abolition of Law No. 177/1948 on the General Regime of Religious Denominations, which had been introduced in 1928, and the introduction of a system of strict control over all religious manifestations were the most important decisions taken by the Party.

This decree was issued in a context in which the communist regime was consolidating its power by implementing a policy of strict control over religious life. Although officially proclaiming freedom of religion, it introduced a system of total subordination to the state, in which all religious functions and activities had to be approved and supervised. It was a form of legalizing ideological control over the spiritual life of citizens.

And despite the seemingly neutral tone of the law, the 1948 Decree served as the legal basis for the

„dissolution of the Greek Catholic Church" (Dură, 2023), the arrest of its hierarchs, and the confiscation of its patrimony. According to Bogdan Emanuel Răduț, "the dissolution of this national church was done by force, outside any authentic legal procedure" (Răduț, 2018).

Through this decree, the communist regime radicalized the religious landscape in Romania, transforming cults into docile instruments of the state. Churches were forced to restructure, priests were forced to compromise with the official ideology, and any independent religious expression was severely punished.

2.3 Law No. 489/2006 - towards a European model of religious freedom

After 1989, Romania faced the absence of a coherent legislative framework for religious freedom. Until 2006, the regime of religions was governed by provisional administrative practices. Under these conditions, concerning accession to the European Union, Law no. 489/2006 on religious freedom and the general regime of religions was adopted.

The drafting of the law was a participatory process that included consultations with 16 religious denominations and opinions from international institutions such as the Venice Commission (SSC, 2018). The law was adopted by an overwhelming majority in Parliament and explicitly repealed the 1948 Decree (Lemeni, 2023).

The law proposes a dual system of legal recognition: recognized religion or religious association. The state provides direct support (financial and logistical) only to cults, depending on the number of believers and social contribution, but guarantees freedom of religious expression for all forms of association (SSC, 2018). The quality of cult is acquired based on criteria of sustainability and stability, criticized by some international organizations, but justified in the spirit of comparable European regulations (SSC, 2018).

The novelty of the law is the prohibition of "offense brought to religious symbols", an imitation inspired by the international security problems caused by the caricatures of the Prophet Muhammad. Without being forgiven by some humanists, the provision is consistent with the European Court of Human Rights jurisprudence. (CEDO, 1996).

Each of the three laws determined a certain kind of expression of religious freedom depending on the socio-political context in which they were adopted. If the Law on Religions of 1928 was an effort at confessional harmonization in an interwar democratic state, the Decree of 1948 was the clear expression of the ideological totalitarianism imposed by the communist regime. Between the ideals of religious freedom proclaimed in the 1923 Constitution and the repressive realities after 1948, a legal and moral chasm stretches, marking a transition from freedom to control and systematic persecution. In this historical succession, Law 489/2006 on religious freedom and the general regime of religions represents an important step towards the restoration of freedom of belief in a democratic state, consecrating the right of every citizen to choose, manifest, and change his religion, under conditions of equality and without interference from the authorities.

3. CONTENT ANALYSIS OF THE THREE LAWS

3.1 Structure of the laws

The 1928 Law is one of the most detailed regulations of the relations between the state and religious cults. The law includes 59 articles, divided into four parts:

- I. General provisions: Religious freedom, limits, relations with foreign countries, citizenship of clergy, internal organization of cults.
- II. Relations between the State and cults: Recognition of historical cults, registration of new cults, state supervision, financial aid.
- III. Relations between cults: Transition from one cult to another, rights and obligations of parents and children regarding religion.
- IV. Final provisions and provisions on the organization of cults without hierarchical structure (e.g. Mosaic and Muslim cults).

Decree 177/1948 for the general regime of religious denominations has 62 articles, organized into seven chapters:

- Chapter 1: General provisions: Religious freedom and the organization of denominations.
- Chapter 2: Relations between the State and denominations: The oath of allegiance, recognition of denominations.
- Chapter 3: The activity of denominations: Rules for assemblies, correspondence and state control.
- Chapter 4: The patrimony of denominations: Administration and control of the property of denominations.
- Chapter 5: Relations between denominations: The transition of believers from one denomination to another.
- Chapter 6: Religious education: Organization of theological schools under state control.

- Chapter 7: Final and transitional provisions: Repeals and clarifications.

This law is more restrictive than the 1928 law, reflecting the establishment of the communist regime.

Law no. 489/2006 marks the return to a democratic vision of religious freedom, following international and European standards. Its structure is clear and modern, organized into 52 articles and divided into seven chapters:

- Chapter I: General provisions: Principles of religious freedom.
- Chapter II: Denominations: Organization and functioning of denominations, their legal status.
- Chapter III: Recognition of cults: Procedure for obtaining recognition.
- Chapter IV: Denominations heritage: Management of heritage and state aid.
- Chapter V: Religious education: Organization of confessional education.
- Chapter VI: Religious assistance in institutions: Hospitals, army, prisons.
- Chapter VII: Final provisions.

This law is in line with European norms, respecting the neutrality of the state towards religion and affirming the equality of denominations.

Although the 1928 Law, Ordinance 177/1948, and Law no. 489/2006 similarly regulate religious freedom, the organization of denominations, and the relations between the state and religion, they present distinctive characteristics among them. The 1928 Law contains 59 articles grouped into four parts, focusing mainly on the general aspects and external relations of denominations. On the other hand, Decree 177/1948, with 62 articles organized into seven chapters, leads through a more detailed structuring, including by treating separately the activity of cults, religious heritage, and education, and indicates a stricter control of the state. In turn, Law no. 489/2006, although it has only 52 articles, still retains seven chapters, demonstrating a modernized structuring, and explicitly discusses some new areas, such as religious assistance in public institutions. Hence, the differences between them do not only refer to the change in the number of articles and chapters but also to changes in the vision of the role and freedom of religion in society.

3.2 General provisions – similarities and differences

According to the Legislative Council of Romania, "general provisions include provisions that guide the entire regulation, determine its object and principles; they represent the first part of the body of the normative act, are grouped in the first chapter and are not repeated, in principle, in the rest of the regulation, to avoid some repetitions or internal parallelisms within the same act".

The general provisions of Law no. 54/1928, Decree no. 177/1948, and Law no. 489/2006 outline how the Romanian State has approached the issue of religious freedom in different political contexts.

The general provisions highlight how each government has committed itself to guaranteeing religious freedom. Law no. 54/1928 enshrines in Art. 1 the fact that "The State guarantees all religions equal freedom and protection", but conditions its exercise to respect "public order, good morals, and its organizational laws". This formulation reveals a protective vision but subordinated to the interests of the state. Decree no. 177/1948 in article 1 states that "The State guarantees freedom of conscience and religious freedom throughout the Romanian People's Republic", but places a stronger emphasis on respecting the Constitution and state security. Law no. 489/2006, art. 1 para. (1), states the commitment to guarantee and protect religious freedom: "The Romanian State respects and guarantees the fundamental right to freedom of thought, conscience and religion", but under the Constitution and international treaties, without other arbitrary conditions. Thus, the approach becomes much more obvious and explicit that it is based on international human rights standards.

Also, each law states the prohibition of religious coercion. In Law no. 54/1928, art. 5 states: "No one may be compelled to participate in the religious services of another religion", with an exception for civil servants obliged by their official service. Decree no. 177/1948 in art. 4: "No one may be compelled to participate in the religious services of a religion", and art. 5 adds that "No one may be compelled, by State administrative measures, to contribute to the expenses of a religion". An affirmation of the separation between the State and religion is observed, but only concerning the financing of religions. In Law no. 489/2006, in art. 1 para. (2) it establishes that "No one may be prevented or compelled to adopt an opinion or adhere to a religious belief contrary to his convictions", and art. 5 para. (6) prohibits the obligation of persons to "mention their religion" in official relations. In this way, the protection of religious freedom is extended to the administrative and social levels, not just to the individual and ecclesiastical levels.

The general provisions also refer to the organization of religions and the role of the state. Article 12 of Law no. 54/1928 admits the internal autonomy of religions "according to their organizational statute approved under the terms of this law", which implies strong control, a form of supervision exercised by the state over religions. Article 6 and Article 7 of Decree no. 177/1948, reconfirm the right of religions to organize themselves "according to their norms, according to their teachings, canons and traditions", but the internal rules had to be approved by decree of the Presidium of the Grand National Assembly, which shows subordination to the political authority. Article 5, paragraph (3) of Law no. 489/2006 recognizes the freedom of religious communities to choose "freely the associative structure in which they manifest their religious faith", without prior intervention by the state, thus strengthening the principle of separation and independence of religions.

The external relations of religious denominations were another theme that can be seen in the general provisions section. According to Law no. 54/1928, art. 7, "without any restriction, a religion cannot have dependent relations with any authority or church organization abroad". In Decree No. 177/1948, the issue of external relations was not explicitly addressed in the general provisions, although the practice of the communist regime was of such rigidity that it severed any international religious collaboration. Article 4 of Law no. 489/2006 completely changes the perspective: "Any person, religion, religious association or religious group in Romania is free to establish and maintain ecumenical and fraternal relations [...] at national and international level", reflecting Romania's integration into the values of democratic pluralism.

3.3 The relationship between the state and religions

Regarding the *recognition of the legal status of religions*, the 1928 Law stipulates that it recognizes the historical religions, which it mentions in article 21, but also introduces the possibility of recognizing new religions only under the condition of respecting public order and good morals (art. 22, Law 1928). In contrast, Decree 177/1948 imposes the procedure for recognizing religions exclusively by decree of the Presidium of the Grand National Assembly, at the proposal of the government (art. 13, Decree 177/1948). In this way, political control over religious life is imposed. Currently, Law 489/2006 declares that a religious association, under the terms of the law (art. 17, paragraph 1) may be recognized as a cult by government decision, provided that public security, order, health, and public morals or fundamental human rights and freedoms are respected (art. 17, paragraph (2), Law 489/2006).

Concerning the *internal organization of religious communities*, Law 54/1928 allowed religious communities to organize themselves according to their statutes (art. 14, Law 1928), under the supervision of the Ministry of Religious Affairs (art. 25, Law 1928). In 1948, religious communities were also required to have an officially recognized central organization (art. 12, Decree 177/1948), and local components must be registered in the registry of the city halls where they are located (art. 17), and larger structures, such as dioceses, are confirmed by decree of the Presidium of the Grand National Assembly (art. 22, Decree 177/1948). The 2006 law supports the full autonomy of religious communities. These are organized according to their own statutes or canonical codes, in compliance with the provisions of the Constitution, the law on religions, and their own statutes or canonical codes (art. 8 para. (1), Law 489/2006).

An interesting provision in the legislation on religious denominations is the one related to the *oath of religious denominations leaders* before taking office. The 1928 law provided that religious cult leaders should take an oath of loyalty to the King and the Constitution, and presented the oath formula (art. 27, Law 1928). In Decree 177/1948, the oath formula was radically modified, emphasizing loyalty to the people and the Romanian People's Republic, showing this loyalty through actions of resistance to enemies "from outside and within" (art. 21, Decree 177/1948). Law 489/2006 no longer provides for the obligation of a political oath, thereby strengthening the principle of freedom of conscience and the autonomy of cults.

Regarding the *financial support of religious communities* by the state, under the 1928 Law, religious communities could receive state aid in proportion to the number of believers and their material situation (art. 31, Law 1928). Decree 177/1948 did not explicitly detail the financial support, reflecting the orientation towards forced secularization and the reduction of direct material support. According to Law 489/2006, the state supports the activities of religious communities through financial contributions (art. 10 para. (4), Law 489/2006) and through tax incentives, under the terms of the law (art. 11, Law 489/2006).

The relationship between the state and the church is based on certain principles, which have given rise to certain models. Professor Norman Doe has identified three models for regulating church-state relations, namely: "a) state church, b) separation, and c)

cooperation", recognizing that "although these general categories are well established, alterations are possible; for example, it is a serious question whether the complete separation of church and state is possible, at least in the European context"(Sobczyk, 2021).

Comparing the three laws from the perspective of the *principle of state neutrality*, it can be noted that in the 1928 Law, the neutrality of the state towards religion was not explicitly formulated. In the 1948 Law, despite the mention of religious freedom, the policies showed a practice of control and discrimination. According to the provisions of Law 489/2006, "there is no state religion in Romania", and the state is "neutral towards any religious belief or atheist ideology" (art. 9 paragraph (1), Law 489/2006).

Based on this brief analysis, we can conclude that the relationship between the state and religions took various forms during the period 1928-2006, namely, from the model of careful supervision (Law 1928) to the model of political subordination (Decree 1948), and then to the model of guaranteeing religious freedom (Law 2006). All this shows us that the state-religion relationship in Romania has evolved significantly. Currently, Law 489/2006 enshrines the relationship between the state and religions under two fundamental principles, neutrality and cooperation.

3.4 The relationship between denominations

The specific legislation of religious denominations in Romania has always regulated the relations between religions.

The relationship between denominations, according to Law 54/1928, bases its provisions on respect for freedom of conscience, and the relationship between religions and citizens has a formal note. Article 41 prohibited any form of coercion of members of one religion to contribute to the maintenance of another religion, thus consecrating the patrimonial separation that exists between the different religions in Romania. Article 42 restricts the liturgical activity of priests only to their believers, with exceptions being possible only in situations of extreme necessity and urgency. Regarding the transfer of the confessional affiliation of believers from one religion to another, it can be done according to strict and clear rules (art. 44–46). Changing the religion involved a complex formal procedure described in Article 45 and included "an authentic declaration made to the court or the notary public and filed with the civil registrar" (Art. 45, Law 1928). The law provides, in Articles 47 to 50, specific regulations regarding the child's religion and its change. The basic rule is that until the age of 18, the child follows the religion of the parent.

Decree 177/1948 operates with the new paradigms that emerged after the installation of the communist regime. The law allows the transition from one cult to another, but the 1928 Law mentions the declaration of leaving a cult that "is communicated to the local part of the abandoned denomination, through the local communal authority. Upon request, the respective communal authority is obliged to issue proof of making this communication" (art. 38, 1928 Law). Article 39 if registration in another denomination was conditional on the presentation of proof of leaving the previous denomination, thus maintaining strict administrative supervision over confessional migration. Similarly, articles 40-43 strongly restricted the international relations of cults, subordinating them to the Ministry of Denominations and the Ministry of Foreign Affairs. Control was exercised over finances received from abroad, which indicates the prevention of any foreign influence on religious life in Romania but also on Romanian citizens in general.

The fact that Law no. 489/2006 does not address in detail the relations between religions but only states it in a single article (art. 13), is proof that the state does not want to control how citizens choose their religion, nor how they decide to change their confession. In Article 13 paragraph 1) the law emphasizes that the relations between religions and religious groups must be based on mutual understanding and respect. These two aspects are fundamental. In contrast, the law in Article 13 paragraph (2) expressly prohibits any forms of defamation and religious enmity, as well as public offense brought to religious symbols. In the text of this article, the prevention of the exercise of religious activities is incriminated as a criminal offense (art. 13 paragraph (3)). Thus, unlike previous laws, Law 489/2006 no longer provides for procedures for notifying a change of religion, reflecting a democratic vision of the individual right to change one's faith.

3.5 Other areas: church goods, personnel, religious education

The three laws on cults have provisions *regarding the heritage of denominations* or church goods. In the 1928 Law, the heritage of cults was protected by guaranteeing ownership of churches, cemeteries, and sacred goods, which could not be seized or pursued (art. 19). The administration of the heritage was carried out autonomously by the cults, under light state supervision. The situation changed, however, when, according to the 1948 Decree, the state could exercise control over the heritage by the fact that the property of extinct cults reverted to the state by right

(art. 36), and all assets had to be inventoried, and the budgets of the central bodies had to be approved by the Ministry of Denominations (arts. 29-30). The heritage and budget were subject to state control. The transfer of heritage was strictly regulated when believers changed their denomination (art. 37). In the 2006 Law, religions are protected in their property rights, and the state supports them financially without interfering in the administration of their assets (art. 8-12). Control is limited to verifying the use of public funds received.

Church personnel refer to those persons employed within a denomination, both as spiritual personnel, also called clergy, and as administrative personnel. In the 1928 Law, members of the clergy had to be Romanian citizens with full civil and political rights and without serious convictions (art. 10). Appointments to important positions were conditional on an oath of loyalty to the king and the state (art. 27). In the 1948 Decree, all persons involved in religious activities were completely subordinate to the state: all religious leaders and civil servants had to take an oath of loyalty to the Romanian People's Republic (art. 21), and anti-democratic acts were punished by "temporary or permanent removal from the salary granted by the State" (art. 33). According to the 2006 Law, religious personnel is independent of the state, and their salaries will be mainly paid from their funds. Religious groups can receive support for the salary of clerical and non-clerical personnel (art. 10 paragraph 4), and state funds are distributed according to the number of believers. Also, "the state supports with contributions in a higher amount the salary of religious personnel of religious units with low incomes, under the conditions established by law" (art. 10 paragraph 4 Law 489/2006).

Religious education was regulated differently in each period. The 1928 law guaranteed the right of denominations to establish institutes for the training of clergy, with programs that had to include several mandatory courses, such as "the study of history, the Romanian language and literature and the Constitution of the country" (art. 15). Diplomas obtained abroad had to be equivalent.

Regarding the religious education of children, "denominations have the right to provide religious instruction to students of their faith in public and private schools, according to the laws regarding public education" (art. 16). Also in article 16, denominations are allowed religious assistance in the army, hospitals, orphanages, correctional schools and penitentiaries. The 1948 decree restricted religious education: theological schools were placed under strict control, and the secular and religious education of students were separated (art. 44-52). Teachers were appointed by decree at the proposal of the Ministry of Religious Affairs (art. 52). The 2006 law enshrines the freedom to organize religious education for the training of clergy, in compliance with education legislation (art. 2-3). The right of parents or legal guardians "to opt for the religious education of minor children, according to their convictions" is guaranteed (art. 3).

4. CONCLUSIONS

The historical evolution of the legal framework governing religious denominations in Romania, examined through the comparative analysis of Law 54/1928, Decree 177/1948, and Law 489/2006, reveals the profound interdependence between political regime changes and the status of religious freedom. Each normative act embodies the ideological imperatives and state priorities of its respective era, resulting in markedly different models of regulating the relationship between the state and religious denominations.

Law 54/1928, adopted during the interwar monarchy, reflects an attempt to legally unify the newly enlarged Romanian state while simultaneously entrenching the privileged status of the Orthodox Church. Despite the constitutional affirmation of religious freedom, the practical application of the law reveals limitations and systemic inequalities. Decree 177/1948, promulgated under the communist regime, institutionalized an overtly repressive framework characterized by the subordination of religious life to the ideological apparatus of the state, thus fundamentally undermining the principle of religious autonomy.

In contrast, Law 489/2006 embodies the transition towards a democratic, pluralistic society, aligning the Romanian legal order with international human rights standards and the jurisprudence of the European Court of Human Rights. The principles of state neutrality, cooperation with religious denominations, and the affirmation of individual freedom of conscience constitute the normative pillars of the current legal regime.

The comparative structural analysis of the three laws highlights the shift from a model of conditional tolerance and control to one of recognition and protection of religious diversity. Areas such as the legal status of denominations, the administration of religious property, religious education, and the autonomy of religious organizations have evolved towards greater respect for the fundamental rights of individuals and communities.

This trajectory underscores the broader democratization process of Romanian society, where religious freedom emerges not merely as a constitutional declaration but as an operational principle embedded in public policy and legal practice. While challenges remain, the current framework established by Law 489/2006 marks a significant consolidation of the legal protection of religious freedom, contributing to the strengthening of democratic governance and social pluralism in Romania.

5. REFERENCES

1. Curtea Europeană a Drepturilor Omului, Decizia *Wingrove vs. Marea Britanie*, 1996.
2. Decret nr. 177/1948 pentru regimul general al cultelor religioase (modificat prin Decretul nr. 150 din 1974), publicat în *Monitorul Oficial*, Partea I, nr. 178 din 4 august 1948.
3. Dură, Nicolae V., Decretul nr. 177 din 1948 și libertatea cultelor religioase, *Jurnalul Libertății de Conștiință*, Vol. 11, Nr. 3, 2023.
4. Enache, George, Legea pentru regimul general al cultelor din 1928 și Decretul 177 din 4 august 1948. Privire comparativă, *Analele Universităţii „Dunărea de Jos" din Galaţi*, Seria 19, Istorie, tom XII, 2013, p. 107–149.
5. Jucan, Florina, De ce în România nu sunt conflicte interreligioase. O posibilă explicație, *QMagazine*, 10 februarie 2022. Disponibil la: https://www.qmagazine.ro/de-ce-in-romania-nu-sunt-conflicte-interreligioase-o-posibila-explicaie/
6. Legea cultelor în Senat, *Biserica și Școala*, Anul LII, nr. 14–15, Arad, 8 aprilie 1928 (p. 1–5).
7. Legea 54/1928 pentru regimul general al cultelor, publicată în *Monitorul Oficial* nr. 89 din 22 aprilie 1928.
8. Legea nr. 489/2006 privind libertatea religioasă și regimul general al cultelor, publicată în *Monitorul Oficial*, Partea I, nr. 11 din 8 ianuarie 2007.
9. Lemeni, Adrian Nicolae, Coordonate privind procesul de elaborare și de adoptare a Legii, în *Local și universal în Ortodoxia românească – Creștinismul în postcomunism*, Ed. Doxologia, 2023
10. „Noul regim al cultelor", *Unirea*, Anul XXXVIII, nr. 10, Blaj, 10 martie 1928.
11. Răduț, Bogdan Emanuel, Libertatea religioasă în România. Prevederi constituționale și legislative, *Jurnalul Libertății de Conștiință*, 2018, Vol. I, p. 406–419.
12. Secretariatul de Stat pentru Culte (SSC), *Legea nr. 489/2006 privind libertatea religioasă și regimul general al cultelor – prezentare - Istoric și Rezumat*, 2018 http://www.arhiva.culte.gov.ro/_site/culte/detaliu-legislatie/vrs/IDleg/18.html
13. Sobczyk, Paweł, *Religious Symbols in the Public Sphere - Analysis on Certain Central European Countries*, Ferenc Mádl Institute of Comparative Law & Central European Academic Publishing, 2021